

CV 13

6849

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
★ DEC 04 2013 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Charles Lloyd

ORIGINAL

(In the space above enter the full name(s) of the plaintiff(s).)

COMPLAINT

under the

Civil Rights Act, 42 U.S.C. § 1983

(Prisoner Complaint)

-against-

P.O. Michael Mcavoy

Sgt. Thomas Sabbio

Gregory Clarke

Police Commissioner

Raymond Kelly

Jury Trial: ☒ Yes ☐ No
(check one)

COGAN, J.

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Charles Lloyd
ID # 541-13-00597
Current Institution Rikers Island 1B-18
Address Hazen ST. EAST Elmhurst N.Y.
11370 C-95

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Michael Mcavoy Shield # 15100
Where Currently Employed 120 Precinct 78
Address Richmond Terrace 2320 Hylan
Boulevard 116 main ST. S.I. N.Y.
10301.

Defendant No. 2 Name Thomas Sabbio TAX# 937463
 Where Currently Employed 120 Precinct 78 Richmond
 Address Terrace 2320 Hylan boulevard
116 main ST. S.I. N.Y. 10301

Defendant No. 3 Name Gregory Clarke ESQ Shield #
 Where Currently Employed The legal aid Society
 Address 60 Bay ST. Staten Island
N.Y. 10301.

Defendant No. 4 Name Raymond Kelly Shield #
 Where Currently Employed 1 police plaza - room
 Address 5-20 STREET level OF police
headquarters N.Y. N.Y. 10038

Defendant No. 5 Name _____ Shield #
 Where Currently Employed _____
 Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

B. Where in the institution did the events giving rise to your claim(s) occur?

C. What date and approximate time did the events giving rise to your claim(s) occur?

April 15 Th 2013

My Complaint

11/18/13

"Salutations".

On April 15th 2013 I was arrested for assault in the second degree and for criminal possession of a weapon in the third degree, which Sgt Thomas Pollari and P.O. Michael Mcaroy had used perjury by trying to make the complainant witness say things that didn't happen. Which was that I had pistol whipped the witness with a gun that P.O. Michael Mcaroy had founded on the first floor of the two story family house, which is a family apartment on the first floor and another family who lives on the second floor as well. This officer had founded that bag in the hallway on the first floor and brought it upstairs to the witness. Just by the back round of the picture where this bag was supposedly found at shows that it was on the first floor in the hallway by this distinguished mask on the floor in the lower left side of the picture where this mark is where the stairs black bannister that is cemented in the ground on the first floor of this hallway leading up to the second floor. And this radiator ^{at} is opposite access from this bannister. These officers and Sgt wanted the witness to insubordinate her story in the police report complaint which

She never stated any of that pistol whipping assault in her written witness statement. And being that they couldn't get her to lie or go to the hospital they took it upon them selfs to forged her signature in this insubordinating police report. Which you can see a big different in the signatures from the Domestic incident report to the witness statement. This is perjury and Forgery which is fruit of a poisonous tree. These signatures are two different peoples hand writings one belonging to the witness and the other is a unknown officer. Hers is spelled Mary while the other is spelled May. Which in hers she connects her Ayr and in the forged one the M connects to the big O and the space between T and many other different things in these if match signatures. Not only did she made it explicit¹⁴ clear to these arresting officers that i did not have or hit her with a gun, they still went and did what they wanted to do disrespecting and disregarding the rules of the constitution of the United States of America. There is no hospital report stating that she suffer serious injuries and was hit with a gun. And then on April 18 2013 she didn't show up in the grand jury and told this D.A of Richmond County that these officers and SAT had violated and fabricated a felony complaint when it was just a misdemeanor like she stated i came over to her apartment

and she heard from hear say that i was saw with
with other womens and she wanted a phone that
she brought for me as a gift. She started to go
into my pockets trying to find and take the phone
back from me, i am pulling away from her trying
to get her off of me and from ripping my shirt off
of me i pushed her off of me with a open hand
to her face area. Not a punch or a slap but a
push causing her to bite or slightly bust her lip
nothing to serious no blood was dripping. I had a
investigator go and speak with the witness being
that she never showed up to the grand jury the
day before which was april 18 2013 and he went
and talked with her on april 19 2013 after i been
indicted. I also have a laboratory examination
report. But in this report they only checked for
operability of the gun as if i shot her or someone
and not check for biological chemicals such as
sweat, blood and fingerprints. Being that me and the
witness is saying that i didn't hit her with or
had a gun. This gun was classified as a misdemeanor
Penal Law 265.01 a empty gun. All of my rights
had been violated from not being able to participate
in the grand jury to not being able to have any
pretrial hearings. I was indicted on april 18
2013 at 18 richmond terrace, Staten island N.Y.
10301 and indictment number is 118/2013. I was
maliciously prosecuted. Respectfully Submitted
Charles Lloyd Charles Lloyd.

A. OCCURRENCES

Date: On or about April 15, 2013 around 8:30am

Place: Inside of 156 North Burgher Ave, 2nd floor, Staten Island, NY

ARREST

Date: On or about April 15, 2013 around 9am

Place: Inside of 156 North Burgher Ave, 2nd floor, Staten Island, NY

B. NOTICES

1. STATEMENTS

[X] If checked, notice is hereby served, pursuant to CPL § 710.30(1) (a), that the People intend to offer at trial evidence of statements made by defendant to public servants.

→ "That's not my gun." ←

2. IDENTIFICATION

[] Notice is hereby served, pursuant to CPL § 710.30(1) (b), that the People intend to offer at trial testimony regarding an observation of defendant either at the time or place of the commission of the offense or upon some other occasion relevant to the indictment, to be given by a witnesses who has previously identified defendant.

C. DISCOVERY

1. ADDITIONAL STATEMENTS

[] If checked, the People hereby disclose written, oral or recorded statements of a defendant or of a co-defendant to be jointly tried, made, other than in the course of the criminal transaction, to a public servant engaged in law enforcement activity or to a person then acting under his direction or in cooperation with him, and which statements are not given in section B(1) above. CPL § 240.20(1)(a).

2. GRAND JURY TESTIMONY

[] If checked, defendant or a co-defendant to be tried jointly testified before the Grand Jury relating to this criminal action. CPL § 240.20(1)(b).

3. SCIENTIFIC AND MEDICAL REPORTS

[X] If checked, the People hereby disclose written reports or portions thereof, concerning a physical or mental examination or scientific test or experiment, relating to this criminal action, which were made by, or at the request or direction of a public servant engaged in law enforcement, or by a person whom the People intend to call as a witness at trial, or which the People intend to introduce at trial. CPL § 240.20(1)(c).

-Chemical Lab Report

-Ballistics Lab Report

4. PHOTOGRAPHS AND DRAWINGS

Explicitly explaining how the 120 Precinct located at 78 Richmond Terrace 2320 Hylan boulevard 116 main ST Staten Island, New York 10301 Had violated my constitution-
al rights.

1. Perjury - This officer Michael Mcavoy shield #15100 and Sgt. ~~Thomas~~ Sabbio Tax # 937463 had fabricated and lied under oath by writing in the domestic incident report that i hit a baby and that i hit the Complainant witness with a gun.

2. Forgery - These officer, Sgt and legal aid society lawyer Mr. Gregory Clarke had ~~w~~^oked together and signed the complainant witness signature to try and convince me that she signed it so that i would cop out to the D.A. plea bargain.

3. violation of the fourth amendment. This violation came about when this officer Michael Mcavoy and Sgt Thomas Sabbio took it ~~upon~~^{upon} themselves to illegally search the down stairs hallway without a warrant knowing that this 911 call was for the second floor apartment of this two family and story house. Which picture of where they said with perjury that this bag with a gun in it was in the livingroom ~~shows~~^{shows} that it was in the hallway on the first floor from the back round of the picture.

4. violation of the sixth amendment. This legal Aid society lawyer Mr. Gregory Clarke located at 60 Bay ST. S.I. N.Y. 10301 had violated my assistance of Counsel by lying to me about the complainant signing the domestic incident report and never informing me of the witness statements or using these statements for my defense or putting in a motion to dismiss indictment being that he knew about these statements and that she didn't participated in the grand jury or have a hospital report.

5. Explaining how this all took place. On April 15th 2013 I was maliciously prosecuted for a gun that wasn't

Explicitly explaining how the 120 Precinct located at 78 Richmond Terrace, 3320 Hylan Boulevard 116 main st Staten Island, New York 10301. Had violated my constitution. at rights.

1. Perjury. This officer Michael McAvoy shield #15100 and Sgt. Sabbio Tax # 937463 had fabricated and lied under oath by writing in the domestic incident report that I hit a baby and that I hit the complainant witness with a gun.

2. Forgery. These officers, Sgt and legal aide society lawyer Mr. Gregory Clarke had worked together and signed the complainant witness signature to try and convince me that she signed it so that I would cop out to the D.A. plea bargain.

3. Violation of the fourth amendment. This violation came about when this officer Michael McAvoy and Sgt Thomas Sabbio took it upon them selfs to illegally search the down stairs hallway without a warrant knowing that this all was for the second floor apartment of this two family and store house. which picture of where they said with perjury that this bag with a gun in it was in the living room ^{shows} that it was in the hallway on the first floor from the back round of the picture.

4. Violation of the sixth amendment. This legal aid society lawyer Mr. Gregory Clarke located at 60 Bay St. S.I. N.Y. 10301 had violated my assistance of counsel by lying to me about the complainant signing the domestic incident report and never informing me of the witness statements or using these statements for my defense or putting in a motion to dismiss indictment being that he knew about these statements and that she didn't participated in the grand jury or have a hospital report.

5. Explaining how this all took place. On April 15th 2013 I was maliciously prosecuted for a gun that wasn't

D. Facts:

What
happened
to you?

Who did
what?

Was
anyone
else
involved?

Who else
saw what
happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☐ No ☒

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

NOT applicable

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☐ No ☒ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)? NOT applicable

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☐ No ☒

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

NOT applicable

1. Which claim(s) in this complaint did you grieve? _____

NOT applicable

2. What was the result, if any? _____

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. _____

Claims Derived From unlawful arrest/ not applicable

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

Claims are of serious nature that requires intervention by the court.

2. If you did not file a grievance but informed any officials of your claim, state who you informed, _____

when and how, and their response, if any: Not applicable

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Civil Rights Complaint (1983) is only relief for the allegation outlined in this complaint.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). I am seeking and suing for Ten million dollars for the violations of my constitutional rights which is my fourth and sixth amendments as well as for these officers and lawyer using perjury and forgery, which i have been suffering cruel and unusual punishment because of being arrested and taking away from my two months old daughter who is eight months old now and my seven years old daughter. I loss that chance to see my baby sit up, laugh and speak baby words for the first time. Like DADA. And for being maliciously prosecuted for a gun that wasn't mines. When all the peoples had to do was take D.N.A to prove it wasn't mines.

VI. Previous lawsuits:

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☒ No ☒

On
these
claims

- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

- C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes _____ No XX

- D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 9 day of October, 2013.

Signature of Plaintiff	<u>Charles Lloyd</u>
Inmate Number	<u>541-13-00597 A.M.K.C.</u>
Institution Address	<u>18-19 Hazen ST east</u> <u>Elmhurst N.Y. 11370</u> <u>Rikers Island</u>

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 9 day of October, 2013, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff: Charles Lloyd

Case 1:13-cv-00843-BMC-JMA Document 1 Filed 12/04/13 Page 14 of 21 PageID #: 3724

DOMESTIC INCIDENT REPORT

DATES: 4/15/13 0830 156 N. Burger Ave

VICTIM/PARTY 1 (P1): Name (Last, First, M.I.) (include aliases) Dantzer, Mary

Street & City 156 N. Burger Ave

Injured? ☐ No ☒ Yes

Describe: Bloody Lip

VICTIM/PARTY 2 (P2): Name (Last, First, M.I.) (include aliases) Lloyd, Charles

Street & City 156 N. Burger Ave

Injured? ☒ No ☐ Yes

Describe:

SUSPECT/P2: LIVING SITUATION

Do parties currently live together? ☒ Yes ☐ No

IF NO, have they lived together in the past? ☐ Yes ☐ No

Do the parties have a child-in-common? ☒ Yes ☐ No

RELATIONSHIP: (SUSPECT / P2 to VICTIM / P1)

☒ Married ☐ Formerly Married

☒ Intimate Partner/Dating ☐ Former Intimate/Dating

☐ Child of victim/party 1 ☐ Parent of victim/party 1

☐ Other:

ASSOCIATED PERSONS:

1. Name (Street / APT# / City, if needed)

2.

3.

SUSPECT ACTIONS:

(Check all that apply)

☐ Biting ☐ Impaired Alcohol/Drugs ☐ Pushing ☐ Threw Items

☐ Destroyed Property ☐ Injury to Child ☐ Sexual Assault ☐ Unwanted Contact

☐ Forced Entry ☐ Injury to Other Persons ☐ Shooting ☐ Verbal Abuse

☐ Forcible Restraint ☐ Injury to Pet/Animal ☐ Slapping ☐ Violated Visitation/ Custody Conditions

☐ Hair Pulling ☐ Interference with Phone ☐ Slamming Body ☐ OTHER Suspect Actions:

☐ Homicide ☐ Intimidation/Coercion ☐ Stabbing ☐ Threats: (specify)

☐ Threat with weapon ☐ Weapons used: (specify)

☐ Blunt Object ☐ Gun ☐ Motor Vehicle ☐ Sharp Instrument ☐ Other:

ARREST:

Arrest Made? ☒ Yes ☐ No

Arrest # 513603649

Reasons arrest not made on-scene: ☐ No Offense Committed ☐ No Probable Cause ☐ Suspect Off-Scene

☐ Warrant/Criminal Summons to be requested ☐ Violation level: not in police presence (no citizen's arrest) ☐ Other:

OFFENSES & OP:

Offenses:

1. CPW

2. Assault 2

3.

Offenses Involved: (check all that apply) ☒ Felony ☐ Misdemeanor ☐ Violation ☐ Other (Specify)

Registry Checked? ☐ Yes ☐ No

Order of Protection? ☐ Yes ☐ No

Stay Away Order? ☐ Yes ☐ No

Order Violated? ☐ Yes ☐ No

Any PRIOR orders? ☐ Yes ☐ No

OP Court Name: ☐ OP ☐ Family ☐ Criminal ☐ Supreme ☐ Out of State ☐ Tribal

Expiration Date: ☐ Month ☐ Day ☐ Year

STOP! COMPLETE STATEMENT ON PAGE 2 NEXT

INVESTIGATION:

Photos Taken? ☒ Yes ☐ No

IF YES, photos taken of: ☒ Victim Injuries ☐ Suspect Injuries ☐ Other evidence collected? ☒ Yes ☐ No

IF YES, describe: Gun, Marijuana

Results of investigation and basis of action taken. (Were excited utterances, spontaneous admissions or spontaneous statements made?) ☐ Yes ☐ No (Complete 710.30 or other form when applicable)

At 7/10/10 clu states deft. who is an intimate partner w/ clu & has 1 child in common, struck her in the face w/ a firearm causing a bloody lip. Deft. arrested upon police arrival.

Any Guns in House? ☐ Yes ☐ No

Any Guns Seized? ☐ Yes ☐ No

Household Member Has Pistol Permit? ☐ Yes ☐ No

Permit Seized? ☐ Yes ☐ No

Permit #(s):

Issuing County:

Name on Permit(s):

Is there reasonable cause to suspect a child may be the victim of abuse, neglect, maltreatment, or endangerment? ☐ Yes ☐ No

IF YES, officer must contact the NYS CHILD ABUSE HOTLINE REGISTRY # 1-800-635-1522

IS SUSPECT ON PAROLE OR PROBATION?

☐ Probation ☐ Parole ☐ Not Supervised ☐ Status Unknown

CONTACTS INITIATED BY POLICE: ☐ Domestic Violence Services ☐ Child Protective Services (or ACS) ☐ Other Agency:

Officer's Signature (& Rank) 10 [Signature] (PRINT and SIGN) 4/15/13

Supervisor's Signature (& Rank) [Signature] (PRINT and SIGN)

1. Was DIR given to the victim at the scene? ☐ Yes ☐ No

2. Was Victim Rights Notice given to victim? ☐ Yes ☐ No

IF NO, give reason:

POLICE COPY (Please make a copy for DA's office if appropriate)

NYS DOMESTIC VIOLENCE HOTLINE ENGLISH: 1-800-942-6906 SPANISH: 1-800-942-6908 3221-0577 DCJS Complaint # 1116 NYS DCJS 2011 DC

Page 2 of the NYS Domestic Incident Report:

STATEMENT OF ALLEGATIONS / SUPPORTING DEPOSITION

Suspect Name (Last, First, M.I.)

I, _____ (victim/deponent name), state that on ____/____/____, (date) at ____
 Yo, _____ (nombre de victima/deponente), declaro que en tal fecha ____/____/____ en ____
 (location of incident), in the County/City/Town/Village of _____, of the state of New York, the following did occur:
 (donde el incidente ocurrio), el condado/ciudad/aldea/pueblo de _____, del estado de Nueva York, lo siguiente ocurrio:

he hit me in my mouth
 in he hit me Baby
 I'm tired of him
 he hit me in face with the
 gun

(Use additional pages as needed)

False Statements made herein are punishable as a Class A Misdemeanor, pursuant to section 210.45 of the Penal Law.
 Declaraciones falsas hechas aqui son castigables como una clase de delito menor, de acuerdo con la seccion 210.45 de la ley penal.

Victim/Deponent Signature
 Firma de victima/deponente

← Forged

Date
 Fecha

Note:
 Whether or not this form is signed, this DIR form will be filed with law enforcement.

Interpreter

Date

Nota:
 Si esta forma esta firmada, o no, esta DIR forma sera registrada con la policia.

Witness or Officer

Date

Page

of

2

Investigator Report

Confidential Attorney Work Product

Date: April 19, 2013

To: File #F034/13

From: George Santiago, Investigator, LAS, SI

Client: Charles Lloyd

Docket: 2013RI003007

On the above date at approximately 1600 hours Ms. Mary Dantzler was interviewed regarding her complaint against Charles Lloyd. Ms. Dantzler was informed that I am an Investigator from the Legal Aid Society, working on this matter for Mr. Lloyd's attorney. She was informed that she was under no obligation to speak with me. She did voluntarily give her account of what occurred on April 15, 2013 at her residence, 156 N. Burgher Ave. Staten Island, NY.

Ms. Burgher stated that she and Charles has a long history of mental illness. She stated that on the April 15, 2013 Charles had come to her home and they began to argue because she is aware that Charles is with other women. She also stated that she is tired of taking care of him, while he is with other women. She claims that he got upset when she wouldn't have sex with him. She goes onto state that what really upset him was when she asked for her cell phone back from him. She claimed that she was paying for it and wanted it back.

It was at this point, while he was heated, that he punched her in the face, with a closed fist. She claims that she didn't call the police. However, when the police arrived, she tried to inform them that everything was okay, but they entered her home anyway and while she was talking with one of them. A female police officer came into the apartment and she the gun. She went onto state that the gun was in a green and black bag. Ms. Dantzler informed the police that he did not have a gun. She goes onto state that the officers insisted that she state that he had the gun in her complaint and that he hit her with it.

HAD

Investigator Report

Confidential Attorney Work Product (Cont)

Ms. Dantzer goes onto state that she has not signed a complaint against him, she also stated that she was visited by members of the D.A.'s office, yesterday, and she informed them that is not going forward with this complaint because that didn't happen.

She further stated that she has not received an Order of Protection, but would like one, so that he can stay away. She added that he does not need jail time he needs mental health assistance, and she cannot deal with him right now.

Ms. Dantzer provided a written statement.

WITNESS' STATEMENT

Page ___ of ___

Made by Mary Dantzer
 Street Address 156 W. Brighton Ave Phone _____
 City and State Staten Island, NY Date 4/19/13 Time 1600 hrs
 Statement _____

He came to my house in we
 did fight he punch my mouth
 he did not have a gun he
 would never hit me with a gun
 I don't know where that gun
 came from it did not come from
 my house the cops ~~had~~ found
 it in the hallway in there
 which is the cops told me
 to say he hit me with it
 in I didn't my face is fine
 he did punch me in my
 lip But not with a gun
 the gun was in a bag in the
 hallway But I never seen him
 with the Bag at all

I have written or dictated this statement and reviewed it for accuracy and completeness, and it is true and accurate to the best of my knowledge and belief.

Signature of Person Making Statement Mary Dantzer

Witness [Signature]

C 95

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND

THE PEOPLE OF THE STATE OF NEW YORK

-against-

CHARLES LLOYD

Defendant.

PEOPLE'S VOLUNTARY
DISCLOSURE FORM

Ind. No.

118-2013

The People of the State of New York hereby voluntarily disclose to defendant(s) the following information pertaining to the above-captioned case:

BILL OF PARTICULARS

On April 15, 2013 officers received a call of an assault in progress at 156 North Burgher, 2nd floor. Upon arrival, CW opens door crying, out of breath, shaking, etc. POs walk in and observe CW's cut swollen bleeding lip. CW tells POs that D (who is in location) hit her in the face with a gun and that the gun is on the floor in a bag. The gun is a Sig 357 (operable firearm -- and there are rounds in the magazine.) Gun is in an open bag on the floor and there are two toddlers walking around the living room (4 children total in the apartment - all under the age of 4 years.

D has a prior conviction for 265.01. D is a violent predicate.

This Bill of particular has also been fabricated to try and justify how this plaintiff or illegally searching of the down stairs hallway Gun in bag was founded. I have been indicted without me or the witness participating in the Grand Jury or without a hospital report. I am being framed and D.N.A. of that Gun will clear me. This Bill of particular says that I was on the scene meaning that I didn't have time to clean the prints, sweat or and blood from this so called gun that was suppose to be mines and that it should and would be one of these biological chemicals remained on this weapon if I was in possession of this Gun. Another insubordination is when they the cops said that, that gun was a loaded weapon but in the laboratory report it was classified as a 265.01 misdemeanor those bullets wasn't for that Gun. I do have a prior conviction for having a Gravity Knife in my car at a Check point.

04/15/2013 12:38

Stairs bonnister
in Black.

Black
Stairs
First
Floor
Bonn-
-ister



Staten Island Criminal Defense Office
60 Bay Street
Staten Island, NY 10301
T (347) 422-5333
www.legal-aid.org
Direct Dial:
Direct Fax:
E-mail:

Blaine (Fin) V. Fogg
President

Steven Banks
Attorney-in-Chief

Seymour W. James, Jr.
Attorney-in-Charge
Criminal Practice

Christopher P. Pisciotta
Attorney-in-Charge
Richmond County Office

May 31, 2013

Mr. Charles Lloyd
Book & Case # 5411300597
AMKC
18-18 Hazen Street
East Elmhurst, New York 11370

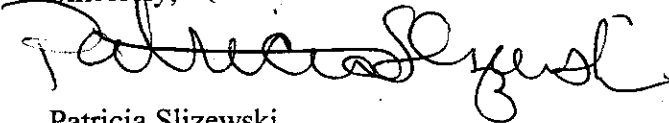
Re: People v. Lloyd
Indictment #: 118/2013


Gregory Clarke

Dear Mr. Lloyd:

As per your request enclosed please find a copy of all the documents from the above referenced matter. If you have any questions feel free to contact your attorney Gregory Clarke, Esq. at 1-347-390-1811.

Sincerely,



Patricia Slizewski
Paralegal II
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